

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X

INDIAN HARBOR INSURANCE COMPANY, : Case No. 12 CIV 5787 (JGK)
: ECF Case

: Plaintiff, : **DECLARATION OF JESSICA A.**
: **BOHL IN SUPPORT OF INDIAN**
: **HARBOR INSURANCE**
: **COMPANY'S MOTION TO ENJOIN**

:
THE CITY OF SAN DIEGO, :
: Courtroom: 12B
: Defendant. : Judge: Hon. John G. Koeltl

:
: Complaint Filed: July 27, 2012
: F.A.C. Filed: August 14, 2012

-----X

DECLARATION OF JESSICA A. BOHL IN SUPPORT OF INDIAN HARBOR
INSURANCE COMPANY'S MOTION TO ENJOIN

I, Jessica A. Bohl, declare as follows:

1. I am an attorney at law admitted to practice before the state courts of New York and the Southern District of New York, am an associate in the law firm of Duane Morris LLP, and am a counsel of record for Plaintiff Indian Harbor Insurance Company (“Indian Harbor”) in this matter. The following facts are within my personal knowledge and if called as a witness, I could and would testify competently thereto.
2. Attached as Exhibit A hereto is a copy of the Indian Harbor policy at issue in this case.
3. Attached as Exhibit B hereto is the First Amended Complaint in this matter, without the attached policy.
4. Attached as Exhibit C hereto is a copy of the California lawsuit the City of San Diego filed against Indian Harbor. This lawsuit was served on Indian Harbor on September 25, 2012. On October 25, 2012, Indian Harbor removed this lawsuit to the United States District Court for the Southern District of California.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 26th day of October 2012, at New York, New York.

/s/ Jessica A. Bohl
Jessica A. Bohl

DMI\3538089.1